

§1607. Board of commissioners; qualifications; compensation and expenses

A.(1) All drainage districts shall be governed and controlled by five commissioners to be known as a board of commissioners. However, the Lafourche Parish Drainage District No. 1 and the Wax Lake East Drainage District shall be governed and controlled by a board of seven commissioners.

(2) These commissioners, or their respective spouses, must each be the record owner of real estate in the district of an assessed value of five hundred dollars, or they must be the representative of some corporation owning lands in the district of an assessed value of five hundred dollars. The representative of a corporation who may be an officer thereof may be designated to represent the corporation by resolution of the board of directors to that effect. Persons possessing the qualifications may be drainage commissioners, whether they be residents or nonresidents. A drainage commissioner may hold the position of drainage commissioner in one or more drainage districts and may hold the position in addition to any other office that may be held by him. The holding of the position of drainage commissioner, shall not be considered as dual office holding.

(3) No commissioner shall receive compensation for his services in excess of sixty-five dollars per day including all actual expenses, while attending to the business of the district.

B. The board of commissioners of each drainage district in this state shall, by a two-thirds vote of the members of the board after public hearing, which has been advertised in the official journal of the drainage district on at least two separate occasions within a period of fifteen days preceding the meeting at which the vote is taken, provide for the method and amount of compensation, and mileage to and from the meeting place, to be paid to the members of such board. However, in no event shall the compensation paid exceed the limit provided in Subsection A above.

C.(1) Notwithstanding the provisions of Subsection A of this Section, the St. Charles Parish Council may replace the board of commissioners of the Sunset Drainage District as the governing authority of the district by adopting an ordinance appointing and designating the St. Charles Parish Council as the governing authority of the district. At least two public hearings shall be held prior to each consideration of adopting the ordinance by the St. Charles Parish Council. At least one of the public hearings shall be held at a location within the district. The ordinance shall establish an effective date for such change in governance and the delivery of records, accounts and monies to the council.

(2) The St. Charles Parish Council shall not replace the board of commissioners of the Sunset Drainage District as provided in Paragraph (1) of this Subsection until such time as the board of commissioners of the district adopts and provides to the council a resolution indicating either of the following:

(a) That the district has exhausted all avenues at its disposal to secure sufficient funding needed for the proper operation and maintenance of, and future improvements to, the district and requests that the council become the governing authority of the district.

(b) That the district has determined that it is in its best interest to have the council become the governing authority of the district.

(3) Notwithstanding the provisions of Paragraph (2) of this Subsection, if the board of commissioners of the district is unable to perform the customary and normal operation and maintenance of the district which may result in a public emergency, as determined by the St. Charles Parish Council, the St. Charles Parish Council may replace the board of commissioners of the district as provided in Paragraph (1) of this Subsection. However, under these circumstances the St. Charles Parish Council shall be required to hold only one public hearing, and such hearing shall be held within the district.

Amended by Acts 1954, No. 507, §1; Acts 1979, No. 779, §1; Acts 1982, No. 91, §1; Acts 1988, 2nd Ex. Sess., No. 20, §1, eff. Oct. 27, 1988; Acts 1992, No. 714, §1; Acts 2011, No. 319, §1, eff. July 1, 2012; Acts 2012, No. 683, §1, eff. June 7, 2012.